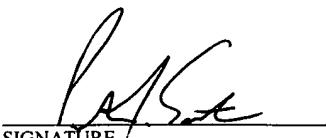


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| FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | | ATTORNEY DOCKET NUMBER 46884-5511 |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | |
| INTERNATIONAL APPLICATION NO. PCT/JP2005/003751 | | INTERNATIONAL FILING DATE March 4, 2005 |
| PRIORITY CLAIMED JP 2004-061216 filed March 4, 2004 JP 2004-202405 filed July 8, 2004 | | |
| TITLE OF INVENTION SEMICONDUCTOR LASER ELEMENT AND SEMICONDUCTOR LASER ELEMENT ARRAY | | |
| APPLICANT(S) FOR DO/EO/US Hirofumi MIYAJIMA, Akiyoshi WATANABE and Hirofumi KAN | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154 (d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has not expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)). 9. <input type="checkbox"/> An oath or a declaration of the inventor(s) (35 U.S.C. 371 (c)(4)) 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). | | |
| Items 11 to 20 below concern document(s) or information included <ol style="list-style-type: none"> 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13^{ter}.2 and 35 U.S.C. 1.821-1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: <ol style="list-style-type: none"> (a) PCT/IB/304 (b) PCT/IB/308 (c) PCT/ISA/210 dated May 24, 2005 (d) Front page of International Publication No. WO 2005/086303 | | |

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| U.S. APPLICATION (Lawton, SD 37145) NW 10/591229 | INTERNATIONAL APPLICATION NO. PCT/JP2005/003751 | ATTORNEY DOCKET NUMBER 46884-5511 | | |
| | | Calculations PTO use only | | |
| The following fees are submitted: | | | | |
| 21. <input checked="" type="checkbox"/> Basic national Fee \$300.00 | | \$300.00 | | |
| 22. <input checked="" type="checkbox"/> Examination Fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100.00 All other situations \$200.00 | | \$200.00 | | |
| 23. <input checked="" type="checkbox"/> Search Fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100.00 International Search Report prepared and provided to the Office \$400.00 All other situations \$500.00 | | \$400.00 | | |
| TOTAL OF 21, 22 and 23 = | | \$900.00 | | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | |
| Total Sheets | Extra sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | |
| 75 - 100 = | 0/50 = | 0 | × \$250.00 \$0.00 | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)). | | \$0.00 | | |
| CLAIMS | | NUMBER FILED | NUMBER EXTRA | RATE |
| Total claims | | 12-20 = | 0 | X \$50.00 \$0.00 |
| Independent claims | | 1 - 3 = | 0 | X \$200.00 \$0.00 |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | | + \$360.00 \$0.00 |
| | | TOTAL OF ABOVE CALCULATIONS = | | \$900.00 |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½. | | SUBTOTAL = | | \$900.00 |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)). | | + \$0.00 | | \$0.00 |
| | | TOTAL NATIONAL FEE = | | \$900.00 |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | + \$0.00 | | \$0.00 |
| | | TOTAL FEES ENCLOSED = | | \$900.00 |
| | | Amount to be refunded: | | \$ |
| | | Amount to be charged: | | \$ |
| <p>a. <input checked="" type="checkbox"/> A check in the amount of <u>\$900.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>50-0573</u> in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0573</u>.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status. | | | | |
| SEND ALL CORRESPONDENCE TO: CUSTOMER NO.: 055694 | | | | |
| DRINKER BIDDLE & REATH LLP 1500 K Street, N.W., Suite 1100 Washington, D.C. 20005-1209 Tel: (202) 842-8800 Fax: (202)-204-0289 | | | | |
|  SIGNATURE NAME: Peter J. Sistare REGISTRATION NUMBER: 48,183 DATE: <u>August 31, 2006</u> | | | | |